

The Westfield-Washington Advisory Plan Commission held a meeting on Tuesday, July 6, 2010 scheduled for 7:00 PM at the Westfield City Hall.

Opening of Meeting: 7:00 PM

Roll Call: Note Presence of a Quorum

Commission Members Present: Dan Degnan (left 7:30), Cindy Spoljaric, Bob Horkay (7:15), Bob Spraetz, Robert Smith, Danielle Tolan, and Steve Hoover.

City Staff Present: Matthew Skelton, Director; Kevin Todd, Senior Planner; Ryan Schafer, Planner; and Brian Zaiger, City Attorney

Approval of the Minutes:

Motion to approve minutes of May 17, 2010 as presented.

Motion: Spoljaric; Second: Spraetz; Vote: Pass by Voice Vote

Todd reviewed the public hearing rules and rules of procedure.

Todd discussed the final replat of a section Countryside stating that during research and preparation for signatures, it was discovered that the final plat was not delegated to staff, which is highly unusual. Therefore, staff is requesting that these be delegated to staff for approval.

Motion to delegate final plat approval for Countryside to staff.

Motion: Hoover; Second: Spraetz; Vote: 6-0

OLD BUSINESS

Case No.	1001-PUD-01
Petitioner	Estridge Development Company
Description	146 th Street and Towne Road; Petitioner requests a change in zoning on approximately 1,409 acres from the AG-SF1, SF-2 and Centennial North PUD districts to the Symphony PUD District.

Skelton reviewed the project thus far as far as public hearing comments and presentation summary from the Estridge team. He also stated that it was the Commission's decision to reopen the public hearing. He further stated there would be additional discussion as to whether a subcommittee was established to review this project.

Estridge continued his presentation on the Symphony project discussing previous public hearing comments. He also discussed commitments and proposed changes to the project including the change in location to the YMCA, minimizing traffic shortcuts through Centennial, and buffers and berms and fence lines. He discussed diversity of life style, schools and projected number of children, amenities, neighborhood shops and restaurants, and commercial/retail plans and possibilities.

Hoover requested a copy of the presentation to review and refer to.

Smith opened the floor to the public for further comment.

Mr. Andrew Smith spoke of his concern for home sales, foreclosures, and jobs; stating that there is currently a 10 to 12 year inventory of new homes on the market nationally.

Ms. Tracy Pielemeier stated that there are already very acceptable zoning rules in place and is opposed to the whittling away at such rules. Additionally, she asked if it is the normal strategy for a City to give such sweeping control of a large percentage of its area to one developer. She also asked about the number of existing incomplete and or unsold properties in the City of Westfield and is the City in a positive growth position to develop these additional homes. She also asked what controls will the City have regarding the development process of Symphony. She added, regarding the property specifically adjoining her property at 159th and Towne Road, this has been designed as the nature and recreation zone but the petitioner wants density that includes multifamily housing up to quad plex with no restrictions on building materials.

Mr. Bob Patterson expressed concern regarding the budget asking if the City has reserves to fund the infrastructure that has been discussed. He also asked about cash flow in order to sustain this required infrastructure and what affect on property tax rates initially and over five years.

Mr. Zeff Weiss, representing Tina and Ross Lofter, spoke of concern for the location of the retail building; their property is not owned or controlled by Estridge and according to rules of procedures, not permitted to be part of this ordinance and believes it will be released or removed so it is not part of the proposed ordinance. He also stated the Westfield Comprehensive Plan does show this as a commercial area and the proposal from Estridge is the reason for the intensity is because it is an 8-lane road; it would be wider than Interstate 465. He further asked the Commission when considering the PUD and the details of the PUD, that the Commission protects the Lofter family from the retail and commercial proposed around them including limits from light pollution and appropriate setbacks.

Mr. Chris Michelsetter spoke of First Mile and the investigation stating the streets and rights of way were held private until more recently and the other providers would have had to pay to run their lines in a private easement and did not want to pay for this access because they did not want to subsidize their competitor. He encouraged the Commission

to investigate the history of Centennial so this is not repeated in another subdivision being planned.

Mr. John Kimple spoke in support of growth and thanked the Estridge Company for their consideration of their previous public comments and concerns. He further stated his concern now is regarding accountability from here on out and if this is a PUD, how that is zoned exactly. He also expressed concern regarding Three Mile park and the fact that there is a gas pipe line there right now and what happens to that park if maintenance has to be done on that gas line. He also asked whether the water treatment plant will be able to handle the growth in the community.

Estridge responded to public comments including demand for homes, the Lofters, property taxes, rules and regulations regarding the pipelines under the proposed park, and water treatment facility capacity.

He stated that they are still negotiating with the Lofters but will take that property out if that is the rule.

He stated that Estridge would never propose that the City put up \$70 million in infrastructure; they are proposing that over the 15 years of build out that the City would say: we will do this if you, the developer, can prove the capacity and funding.

Mr. John Goers stated that currently the homes with the most value within Centennial are in Centennial South and that while the changes made are appreciated, would like the natural barrier of very mature trees left in place and the possibility of the engineer for the village to expand two ponds to be one large pond, which will create a natural barrier for people to only walk in the Centennial South subdivision from certain routes which will protect the value and privacy of the homes of Centennial South. He also expressed concern that regarding his existing property they have been promised trees be replaced for well over a year now, and there are yards that were supposed to be put in that have still not been put in.

Skelton stated that staff is identifying "Big Picture Discussion Items" in the staff report. He further stated staff is trying to respond as promptly as possible; staff is reviewing the consent issues, which have been brought to their attention and additionally, as issues, questions, and discussion items reveal themselves, that these too will be included in the staff report.

Spoljaric stated in light of new information presented tonight, the Commission would need to review the project further.

Horkay stated he is encouraged by what has been presented, but would need further time to review and is interested in what staff discovers regarding parcel inclusions which may change the dynamic of this project.

Smith also expressed concern about the level of predictability over a fifteen year project; things change so much in terms of needs and demands, market fluctuation, and economy that it will be a remarkable piece of work in a PUD that is designed to have fifteen years of flexibility and how much control we can hand over.

Skelton responded to Smith's comments on predictability of a project of this scale; that there are still predictability issues, and a level of conform needs to be established concerning this project.

Hoover stated that there was discussion about a subcommittee and wondered what the Commission's thoughts were on that. He stated he understands that our process was established to avoid subcommittees, but this is a very complex PUD and if a subcommittee is considered, it would be a way to speed up the process, not a way to delay it or make it more difficult.

Skelton stated that staff is already meeting with the petitioner and would rather not, at this point, establish a new subcommittee, which would change the whole staffing strategy.

Smith stated that there does not appear to be a delay at this time in how the project is being managed and that Commission members are free to give daily input or weekly input if they wish; therefore, unless there is a breakdown in the process, he is not in favor of a subcommittee. He further suggested waiting two weeks and find out if progress is being made and staff is managing the enormity of the project and refining and coming to the Commission and posting changes and suggestions, as long as we follow that, he would tend to be in favor of letting staff continue processing.

Skelton stated that staff will get a progress report to the Commission on what is being worked on, reviewed, and accomplished.

Smith encouraged the Commission to get their comments and input to staff in a timely manner.

NEW BUSINESS

Case No.	1007-PUD-07
Petitioner	WLB Associates, Inc.
Description	150-334 Maple View Drive; Petitioner requests a change in zoning from the SF-A District to the Maples at Springmill PUD District to allow single family detached homes.

Schafer introduced the petition, which was presented to the City Council on June 14, and is a proposed change to the PUD. He further stated that after publishing the staff report, the petitioner did update information and staff is in the process of reviewing the updates and will have updated information available at the next meeting.

A Public Hearing opened at 7:30 p.m.

Mr. Don Collins stated he has visited a similar community as proposed and believes these homes are attractive and blend well with other homes.

Mr. Craig Eckart expressed concern about tree preservation and wondered about the spacing between the single family units, stating they look pretty close.

The Public Hearing closed at 7:33 p.m.

Mr. Jim Shinaver, Nelson & Frankenberger, representing the petitioner, responded to public hearing comments stating the large trees are not on the site being proposed. As for the space between homes, he stated the petitioner is seeking eight feet between the detached single family units; primarily due to the fact that the existing roadway has already been constructed and utilization of existing site plan.

Mr. Wayne Beverage explained the layout of shared driveways.

Spoljaric expressed concern about the side yards and rear yards and the units being so close together with virtually no yard.

Shinaver stated there is a market demand for this type of housing and there have been some complexities in financing.

Spoljaric asked about building materials.

Beverage responded stone, hardiplank, and smart trim.

ADJOURNMENT (8:55 p.m.)

Approved (date)

President, Robert Smith, Esq.

Vice President, Cindy Spoljaric

Secretary, Matthew S. Skelton, Esq., AICP